

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

PATRICK BECK,

Plaintiff,

v.

Civ. No. 23-43 RB/GJF

THE GOVERNMENT,

Defendant.

ORDER DENYING MOTION FOR ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Order [ECF 11] (Motion). Plaintiff is incarcerated and proceeding *pro se*. He filed the Motion in connection with his civil rights complaint [ECF 1], which appears to accuse the government of fabricating stalking allegations to avoid honoring the patents that he allegedly owns for Operation Warp Speed.


As a threshold matter, the Motion violates the Court's local rules. A motion "must not exceed twenty-seven (27) double-spaced pages," but Plaintiff's Motion totals 55 pages. D.N.M.LR-Civ. 7.5. Further, *pro se* prisoner complaints against government officials are subject to *sua sponte* screening. *See* 28 U.S.C. § 1915A(a). If the allegations in the complaint state a facially meritorious claim, the Court typically orders an answer. *See* 28 U.S.C. § 1915A; *but see* 28 U.S.C. §§ 1915(e); 1915A(b)(1) (instructing courts to dismiss allegations that are "frivolous, malicious, or fails to state a claim upon which relief may be granted"). Because the screening function is not complete, it is premature to consider arguments, purported evidence, or alleged facts outside of the Complaint. *See Mobley v. McCormick*, 40 F.3d 337, 340 (10th Cir. 1994) (when determining whether a complaint states a cognizable claim, review is generally limited to "the allegations within the four corners of the complaint.").

IT IS THEREFORE ORDERED that Plaintiff's Motion for Order [ECF 11] is **DENIED**

WITHOUT PREJUDICE. Plaintiff may renew his request if the case survives screening or, if he wishes to supplement his factual allegations, he may request leave to file an amended complaint.

Plaintiff is cautioned that all of his future filings must comply with the Local Rules in every respect, particularly those that govern page length, exhibit length, and formatting. Failure to comply with the Local Rules may result in sanctions up to and including the dismissal of this action.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE